



Section #

Attorney Docket No. 20720-103793

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service with sufficient pre-paid postage as First Class Mail, on August 14, 2000, and is addressed to: Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231.

  
Peter J. Manso, Reg. No. 32,264

August 14, 2000  
August 14, 2000  
Deposit Date

In re Application of: David J. Bova  
Serial No.: 09/470,603  
Filing Date: December 22, 1999  
Group Art Unit: 1615  
Examiner:  
Title:

***NICOTINIC ACID COMPOSITIONS FOR TREATING  
HYPERLIPIDEMIA AND RELATED METHODS  
THEREFOR***

Assistant Commissioner of Patents and Trademarks  
Washington, D.C. 20231

August 14, 2000

Sir:

**TRANSMITTAL**

Transmitted herewith are the following documents and fee:

1. Response - two (2) pages;
2. Copy of Oath or Declaration;
3. Copy of Notice to File Missing Parts of Application (Filing Date Granted); and
- 4.. Return Postcard.

\_\_\_\_ Please charge my Deposit Account No. with the filing fee in the amount of \_\_\_\_\_.  
Please change any deficiency or credit of overpayment to Deposit Account No. 50/-  
0951/20710-103793(KOS). This sheet is attached in duplicate.

— A check in the amount of \$\_\_\_\_\_ is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 50/-0951/20710-103793(KOS).

X The Commissioner is hereby authorized to charge payment of the following fees, at the large entity rate, including any and all filing fees and extension of time fees, concerning this communication or other communications involving this application, or to credit any overpayment to Deposit Account No. 50/-0951/20710-103793(KOS). Please charge any deficiency or credit any overpayment to Deposit Account No. 50/-0951/20710-103793(KOS). This sheet is attached in duplicate.

X Any additional filing fees required under 37 CFR 1.16 including fees for presentation of extra claims.

X Any additional patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).

X The Commissioner is hereby authorized to charge payment of the following fees, at the large entity rate, during the pendency of this application or credit any overpayment to Deposit Account No. 50/-0951/20710-103793(KOS). This sheet is attached in duplicate.

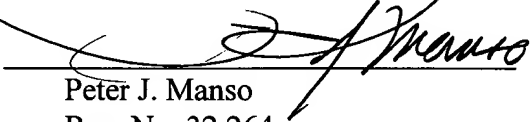
X Any patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).

— The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b)

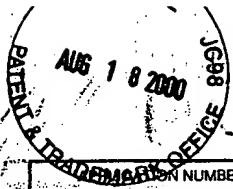
X Any filing fees under 37 CFR 1.16 including fees for presentation of extra claims.

Respectfully Submitted,

Date: August 14, 2000

  
Peter J. Manso  
Reg. No. 32,264

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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/470,603 12/22/99 BDVA

0212/0216

PETER J MANSO  
AKERMAN SENTERFITT & EIDSON PA  
LAS OLAS CENTRE II SUITE 1600  
350 EAST LAS OLAS BLVD  
FT LAUDERDALE FL 33301

DATE MAILED: 1615

02/16/00

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☒ non-small entity is \$ 510.00

☒ 1. The statutory basic filing fee is:

- ☐ missing.  
☐ insufficient.

Applicant must submit \$ 380.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

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01 FC:205 65.00 CH